

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 881**

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**Introduced by Assembly Member Huffman**  
(Principal coauthor: Senator Wiggins)  
(Coauthor: Assembly Member Evans)

February 26, 2009

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An act to ~~amend Section 180001 of, and to add Section 180155 to,~~  
*add Chapter 7 (commencing with Section 180300) to Division 19 of the*  
Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 881, as amended, Huffman. ~~Local transportation authorities:~~  
*Sonoma County Transportation Authority:* greenhouse gas emissions.

The Local Transportation Authority and Improvement Act authorizes any county board of supervisors to create or designate a local transportation authority in the county for the purposes of imposing a retail transactions and use tax of up to 1%, by a  $\frac{2}{3}$  vote thereof, subject to voter approval, with revenues to be used for transportation improvements.

The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020, as specified.

This bill would authorize ~~a local transportation authority~~ *the Sonoma County Transportation Authority, created pursuant to the Local Transportation Authority and Improvement Act*, to implement programs and projects to comply with statewide or federal greenhouse gas emission ~~standards~~ *mandates, in cooperation with other local agencies*

*that elect to participate.* The bill would make legislative findings and a statement of legislative intent *declarations* with respect to the exercise of that authority by the Sonoma County Transportation Authority ~~in that regard.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Chapter 7 (commencing with Section 180300) is*  
2     *added to Division 19 of the Public Utilities Code, to read:*

3  
4     *CHAPTER 7. SONOMA COUNTY TRANSPORTATION AUTHORITY*

5  
6     *180300. The Legislature finds and declares both of the*  
7     *following:*

8     *(a) In 2006, the Legislature passed and the Governor signed*  
9     *Assembly Bill 32 (Chapter 488 of the Statutes of 2006) which*  
10    *requires the State of California to reduce its greenhouse gas*  
11    *emissions to 1990 levels no later than 2020. Reductions in*  
12    *greenhouse gas emissions from the transportation sector will*  
13    *significantly contribute to the state's climate change policy*  
14    *objectives.*

15    *(b) The authority granted pursuant to Section 180301 to the*  
16    *Sonoma County Transportation Authority should be used to*  
17    *perform coordination and implementation activities with other*  
18    *local and community agencies in Sonoma County to assist those*  
19    *agencies in meeting their greenhouse gas emission reduction goals*  
20    *as set forth in resolutions and adopted plans. To the extent another*  
21    *agency, entity, or organization in Sonoma County is authorized*  
22    *to perform those functions, or a new entity is created in that regard,*  
23    *the responsibility for those functions should be transferred to that*  
24    *agency, entity, or organization.*

25    *180301. In addition to any other powers and duties provided*  
26    *by this division, the Sonoma County Transportation Authority,*  
27    *which was created pursuant to this division, may, in cooperation*  
28    *with other local agencies that elect to participate, develop,*  
29    *coordinate, and implement programs and policies to comply with*  
30    *Chapter 488 of the Statutes of 2006 and other federal or state*

1 *mandates and programs designed to respond to greenhouse gas*  
2 *emissions and climate change.*

3 ~~SECTION 1. Section 180001 of the Public Utilities Code is~~  
4 ~~amended to read:~~

5 ~~180001. The Legislature hereby finds and declares all of the~~  
6 ~~following:~~

7 ~~(a) Local highway and transportation improvements and services~~  
8 ~~are an immediate high priority needed to resolve local and regional~~  
9 ~~transportation problems that threaten the economic viability and~~  
10 ~~development potential of counties and cities and adversely impact~~  
11 ~~the quality of life therein. Furthermore, regional transportation is~~  
12 ~~a matter of statewide concern.~~

13 ~~(b) Comprehensive studies and reports have been completed by~~  
14 ~~the Department of Transportation, the Assembly Office of~~  
15 ~~Research, the Governor's Task Force on Infrastructure, and the~~  
16 ~~California Business Roundtable which conclude that there exists~~  
17 ~~a local city street and county road maintenance backlog and~~  
18 ~~shortfall of between five hundred million dollars (\$500,000,000)~~  
19 ~~and eight hundred forty million dollars (\$840,000,000) annually.~~

20 ~~(c) In 2006, the Legislature passed and the Governor signed~~  
21 ~~Assembly Bill 32 (Chapter 488 of the Statutes of 2006) which~~  
22 ~~requires the State of California to reduce its greenhouse gas~~  
23 ~~emissions to 1990 levels no later than 2020. Reductions in~~  
24 ~~greenhouse gas emissions from the transportation sector will~~  
25 ~~significantly contribute to the state's climate change policy~~  
26 ~~objectives. Programs and projects to comply with Chapter 488 of~~  
27 ~~the Statutes of 2006, and other federal or state mandates and~~  
28 ~~programs designed to respond to climate change, should be~~  
29 ~~included among the powers and duties of authorities created under~~  
30 ~~this division.~~

31 ~~(d) In order to deal in an expeditious manner with current and~~  
32 ~~future local transportation maintenance and improvement needs,~~  
33 ~~local agencies need to develop and implement local funding~~  
34 ~~programs that go significantly beyond current federal and state~~  
35 ~~funding which is inadequate to resolve these problems.~~

36 ~~(e) It is in the public interest to allow the voters of each county~~  
37 ~~to establish local transportation authorities and raise additional~~  
38 ~~local revenues to provide highway capital improvements and~~  
39 ~~maintenance and to meet local transportation needs in a timely~~  
40 ~~manner.~~

1 (f) It is the intent of the Legislature that funds generated pursuant  
2 to this division be used to supplement and not replace existing  
3 local revenues used for transportation purposes.

4 SEC. 2. Section 180155 is added to the Public Utilities Code,  
5 to read:

6 180155. Programs and projects to comply with Chapter 488  
7 of the Statutes of 2006 and other federal or state mandates and  
8 programs designed to respond to climate change may be  
9 implemented as part of the powers and duties of an authority.

10 SEC. 3. It is the intent of the Legislature that the authorization  
11 granted in Section 180155 of the Public Utilities Code with respect  
12 to the Sonoma County Transportation Authority should be used  
13 to perform coordination and implementation activities with other  
14 local and community agencies in Sonoma County to assist those  
15 agencies in meeting their greenhouse gas emission reduction goals  
16 as set forth in local resolutions and adopted plans. It is further the  
17 intent of the Legislature, to the extent another agency, entity, or  
18 organization in Sonoma County is authorized to perform those  
19 functions, or a new entity is created in that regard, that the  
20 responsibility for those functions should be transferred to that  
21 agency, entity, or organization.